

1852 - 84/10
1401 8320

Case No. TOYAM68.001AUS

Date: September 10, 2003

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of : Kimura, et al.
App. No. : 09/771,043
For : IMMOBILIZED NUCLEIC ACID
AND METHOD FOR DETECTING
NUCLEIC ACID
Filed : January 26, 2001
Examiner : J. Siew
Group Art Unit : 1637

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop INTERFERENCE, Board of Patent Appeals and Interferences, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 10, 2003

(Date)

Che S. Chereskin

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

**Mail Stop INTERFERENCE
Board of Patent Appeals and Interferences
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 10, 2003 of the Primary Examiner finally rejecting Claims 4-12. The item(s) marked below are appropriate:

(X) An extension of time to respond to the final rejection for 2 month(s) is hereby requested.

Filing Fee:

(X) \$320 (large entity)

Time Extension Fee (if applicable):

(X) two months (\$410 large entity)

(X) Enclosed is a check in the amount of \$730.

(X) Return prepaid postcard.

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Signature:

Che S. Chereskin

Che Swyden Chereskin, Ph.D.

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